

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIAGEO NORTH AMERICA, INC.,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 5/30/08
DATE FILED: 5/30/08

Plaintiff,

-against-

M/V "TORONTO EXPRESS", her engines, boilers, etc.
and ORIENT OVERSEAS CONTAINER LINE LIMITED,

**VOLUNTARY
DISMISSAL AND ORDER**

08 CIV 4464 (LAP)(KNF)

Defendant.

X

No answer having been filed and the captioned action having been settled, it is hereby discontinued as to all parties pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure with prejudice but without costs as to any party, subject to re-opening by letter application in the event that the settlement is not consummated within thirty (30) days of entry hereof.

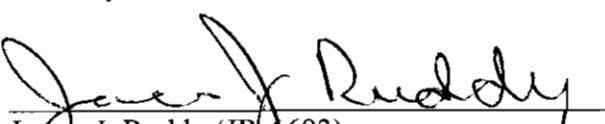
Dated: New York, New York
May 21, 2008

RECEIVED

LORETTA A. PRESKA
U.S. DISTRICT JUDGE
S D N Y

McDERMOTT & RADZIK, LLP
Attorneys for Plaintiff

By:


James J. Ruddy (JR-6693)

88 Pine Street
New York, New York 10005
212-376-6400
Ref.: 10-07-2001 JJR

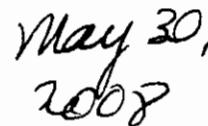
SO ORDERED:

The Clerk of the Court shall
mark this action closed and all
pending motions denied as moot.

U.S.D.J.

SO ORDERED:


LORETTA A. PRESKA, U.S.D.J.


May 30,
2008